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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,698	08/06/2001	Shuntaro Aratani	35.C15665	8038

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EXAMINER

MANNING, JOHN

ART UNIT PAPER NUMBER

2623

DATE MAILED: 07/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/921,698		ARATANI ET AL.	
	Examiner		Art Unit	
	John Manning		2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,23 and 54-75 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 23 and 54-75 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to the amended claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 23, 54-60, 62, 65-71 and 73 rejected under 35 U.S.C. 102(e) as being anticipated by Rosin et al. (US Pat No 6,072,483).

In regard to claim 1, Rosin discloses a "system for television presents internet content and traditional television programming as part of a single coherent interface. The system can display an internet gateway interface which actively scrolls through and highlights links to selected web pages which are organized according to templates corresponding to their content" (Abstract). The claimed limitation of "processing means, for performing processes related to the multiple functions" is met by Figure 1, Item 20. "The client further includes a processor 20 capable of performing multimedia tasks,

Art Unit: 2623

programming for internet web browsing and controlling multimedia tasks, a digital data storage medium 22 such as a hard drive, digital video disk ("DVD") or digital video tape ("DVT")..." (Col 4, Lines 26-30). The claimed limitation of "allocation means, for allocating different codes for the processes, respectively" is met by Figure 1 and 3.

"The templates can be stored either on the client or the sever, depending on the available storage space on the client. The templates can contain several different categories or topics from a given universe of topics. The same category or topic may be found in different overlapping templates. As illustrated in FIG. 3, template I and template II are separate templates in which topics 1 and 3 overlap. The topics associated with a template may be initially predetermined, and later adapted over time based on the past viewing and browsing interests of the user" (Col 6, Lines 8-18). The claimed limitation of "code input means, for causing a user to input a code for performing a corresponding process of the processes" is met by Figure 1, Item 24. "...[R]emote control device 24 to allow the user convenient control of both internet and television functions through the set-top box. The remote control device 24 preferably includes numeric keys, channel-up (forward) and channel-down (back) buttons for selecting channels, directional controls for controlling movement, such as a cursor or menu selector, on the television screen, a button for activating a link or command, and dedicated keys for jumping to a home page or other specialized function. Alphanumeric or other text may be input using the remote control device or a separate keyboard." (Col 4, Lines 30-41). The claimed limitation of "control means, for controlling said processing means so as to perform the process corresponding to the code input by said code input means" is met by Figure 1 and 2.

"The processor includes a CPU 30 having an instruction cache 32, a data cache 34, and VLIW architecture which can run a real-time operating system (RTOS) kernel. To save bandwidth and storage space, the VLIW instructions can be compressed until needed. The processor includes an application library which can provide routines to establish a data connection with a server over a modem, enable web browsing, retrieve e-mail, encode and decode video data compressed using the MPEG1 standard, and decode MPEG2 files" (Col 5, Lines 5-14). The claimed limitation of "wherein said allocation means allocates codes provided in advance in accordance with a predetermined rule, processes related to ones of the multiple functions, and allocates, optional codes other than the codes provided in advance, for processes related to the others of multiple functions" is met by Figure 2 and 8. "While the template and its associated topics may be predetermined, they can be later adapted automatically by an intelligent agent on either the client or the server based on the past viewing and browsing habits of the user" (Col 6, lines 50-53). "The user can edit the channel list for the menu wheel. The user can bookmark particular web pages or sites to appear as new channels in the menu wheel. Other channels may be added to the menu wheel for cable television channels, satellite channels, and other sources. Also, different menu wheels can be made available so that several different users can operate the system using different menu wheels with a personalized selection of channels. The channels can be organized as a circular queue and any suitable data structure is used to keep track of the channels in the queue. The queue is initially preloaded with channels, and any arbitrary channel

can be set to correspond to the channel which is to be highlighted in the selection box” (Col 11, Lines 15-27).

In regard to claim 23, the claimed limitation of “performing a process of processes related respectively to the multiple functions” is met by Figure 1, Item 20 (see Col 4, Lines 26-30). The claimed limitation of “allocating different codes to processes related to the multiple functions, respectively” is met by Figure 1 and 3 (see Col 6, Lines 8-18). The claimed limitation of “causing a user to input a code for performing a corresponding process of the processes” is met by Figure 1, Item 24 (Col 4, Lines 30-41). The claimed limitation of “processing means, for performing processes related to multiple functions” is met by Figure 1 (See Col 3, Lines 48-67; Col 4, Lines 1-5). The claimed limitation of “controlling said process performing step so as to perform the process corresponding to the code input in said code input step” is met by Figure 1 and 2 (see Col 5, Lines 5-14). The claimed limitation of “wherein said allocating step allocates codes provided in advance in accordance with a predetermined rule, processes related to ones of the multiple functions, and allocates optional codes other than the codes provided in advance, for processes related to the others of the multiple functions” is met by Figure 1 and 2 (see Col 5, Lines 5-14; Col 11, Lines 15-27).

In regard to claims 54 and 65, Figure 8 shows both codes provided in advance and optional codes. The optional codes are the codes that are defined by the user (code “11” corresponds to email).

In regard to claims 55 and 66, Figure 8 shows an example of code provided in advance, which is two digits of the same numeral (i.e. code "11", which would logically extend to "22", "33", "111", "222", etc.).

In regard to claims 56 and 67, Figure 8 shows a numerical order from a smaller number to a larger number of the codes (see Col 11, Lines 32-33).

In regard to claims 57 and 68, the disclosed templates meet the limitation a candidate codes. The predetermined rule is the association between the number (see Figure 8; Col 7, Lines 7-20; Col 11, Line 15+) and the corresponding function (in this example a web page).

In regard to claims 58 and 69, Rosin discloses functions that include email and web browsing (Col 9, Line 66 – Col 10, Line 1).

In regard to claim 59 and 70, Rosin discloses a display control process as a function as discussed for claims 1 and 23.

In regard to claims 60 and 71, Figure 8 shows displaying information for associating the allocated code with corresponding process (i.e. "11" – Email, "12" – Search, "13" – "Sony News").

In regard to claims 62 and 73, Rosin discloses controlling broadcast channel selection where the code is the same as that of the broadcast channel (see Col 5, Line 66 – Col 6, Lines 1; Col 7, Lines 13-16).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 61 and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosin in view of Sullivan (US Pat No. 6,591,421).

In regard to claims 61 and 72, Rosin fails to explicitly disclose the outputting of code information to a printer. Sullivan teaches outputting EPG information to a printer so as to provide the use with another form of output (Col 3, Lines 62-67; Col 4, Lines 1-6). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Rosin to output system information so as to so as to provide the use with another form of output.

6. Claims 63-64 and 74-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosin.

In regard to claims 63 and 74, Rosin fails to explicitly disclose a function for scheduling a recoding of a transmitted program. The Examiner takes Official Notice that it is notoriously well known in the art to use a function for scheduling a recoding of a

Art Unit: 2623

transmitted program so as to provide a convenient, user-friendly way for a viewer to record a program. Consequently, it would have been obvious to one of ordinary skill in the art to modify Rosin with a function for scheduling a recoding of a transmitted program for the stated advantage.

In regard to claims 64 and 75, Rosin fails to explicitly disclose searching transmitted programs and scheduling a recording of the searched program. The Examiner takes Official Notice that it is notoriously well known in the art to provide the searching transmitted programs and scheduling a recording of the searched program so as to allow a viewer to quickly locate a desired program and subsequently provide a convenient, user-friendly way for a viewer to record a program. Consequently, it would have been obvious to one of ordinary skill in the art to modify Rosin with searching transmitted programs and scheduling a recording of the searched program for the stated advantage.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Manning whose telephone number is 571-272-7352. The examiner can normally be reached on M-F: 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 09/921,698
Art Unit: 2623

Page 10

JM
June 14, 2006



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